

TAB 38

4.10 RETENTION OF JURISDICTION

Article 10 of the Plan provides that the Bankruptcy Court will retain exclusive jurisdiction over any matter (i) arising under the Bankruptcy Code, (ii) arising in or related to the Chapter 11 Cases or the Plan, or (iii) that relates to the matters enumerated in Article 10 provided that 10. Notwithstanding the foregoing, (A) the District Court shall retain jurisdiction (a) for any proceeding that involves the validity, application, construction, or modification of the Asbestos Channeling Injunction, or of subsection 524(g)(2) with respect to the Asbestos Channeling Injunction and (b) for such matters to which the automatic reference to the Bankruptcy Court has been withdrawn, and (B) the Canadian Court shall retain jurisdiction for matters related to the litigation of Canadian Claims and the hearing on the Recognition Order.

Article 10.
RETENTION OF JURISDICTION

Pursuant to Bankruptcy Code §§ 105(a) and 1142, and except as any matters outlined in this Section relate to the litigation of Canadian Claims or the hearing on the Recognition Order, the Bankruptcy Court shall retain and shall have exclusive jurisdiction over any matter (i) arising under the Bankruptcy Code, (ii) arising in or related to the Chapter 11 Cases or this Plan, or (iii) that relates to the following, provided that (A) the District Court shall retain jurisdiction (a) for any proceeding that involves the validity, application, construction, or modification of the Asbestos Channeling Injunction, or of subsection 524(g)(2) with respect to the Asbestos Channeling Injunction and (b) for such matters to which the automatic reference to the Bankruptcy Court has been withdrawn, and (B) the Canadian Court shall retain jurisdiction for matters related to the litigation of Canadian Claims and the hearing on the Recognition Order: